

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Chris Wallace/797-1050

SUBJECT: Resolution

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE EIGHTEENTH AMENDMENT TO 1988 INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE.

REPORT IN BRIEF:

Broward County collects local option gasoline taxes and distributes these funds between Broward County and eligible municipalities at a ratio of 61.58% County and 38.42% Municipal. The Municipal distribution is calculated on the basis of incorporated area population and is updated annually which is the subject of this annual amendment. The funding distribution formula for Year 2001-2002.

PREVIOUS ACTIONS:

R-2000-117 and previous, but identical, actions.

CONCURRENCES:

not applicable

FISCAL IMPACT:

Has request been budgeted?

not applicable

Additional Comments:

Gas tax funds support roadway construction and maintenance operations within the Town.

RECOMMENDATION(S):

Motion to Approve Resolution

Attachment(s):

Resolution

Eighteenth Amendment to Interlocal Agreement

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND EXECUTING THE EIGHTEENTH AMENDMENT TO 1988 INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE.

WHEREAS, on June 14, 1988, the Broward County Board of County Commissioners approved a 30 year extension of the six cent Local Option Gas Tax; and

WHEREAS, the distribution of these funds is adjusted annually to reflect population changes; and

WHEREAS, it is necessary that the Town of Davie approve the execution of the Seventeenth Amendment to the Interlocal Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The appropriate Town officials are hereby authorized to execute the Seventeenth Amendment of the Interlocal Agreement with Broward County, attached hereto as Exhibit "A".

SECTION 2. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2001

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001

EIGHTEENTH AMENDMENT

to

INTERLOCAL AGREEMENT

between

BROWARD COUNTY

and

TOWN OF DAVIE

providing for

**DIVISION AND DISTRIBUTION OF THE
PROCEEDS OF THE LOCAL OPTION GAS
TAX IMPOSED BY THE BROWARD COUNTY
LOCAL OPTION GAS TAX ORDINANCE**

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**DIVISION AND DISTRIBUTION OF THE
PROCEEDS OF THE LOCAL OPTION GAS
TAX IMPOSED BY THE BROWARD COUNTY
LOCAL OPTION GAS TAX ORDINANCE**

This is the Eighteenth Amendment to Interlocal Agreement, made and entered into by and between: BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

TOWN OF DAVIE , a municipal corporation, existing under the laws of the state of Florida, hereinafter referred to as "TOWN."

WHEREAS, Section 336.025(1)(a), Florida Statutes, authorizes the counties to extend the levy of the six (6) cent local option gas tax upon every gallon of motor fuel and special fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the COUNTY; and

WHEREAS, on June 14, 1988, the Board of County Commissioners enacted Ordinance No. 88-27, effective September 1, 1988, through August 31, 2018, pursuant to Section 336.025(1)(a), Florida Statutes, extending the levy of the six cent local option gas tax for thirty years and providing for a method of distribution of the proceeds of the tax; and

WHEREAS, pursuant to said ordinance, the method for distribution of the proceeds is the execution of an interlocal agreement with one or more of the municipalities

representing a majority of the population of the incorporated area within the county which establishes the distribution formulas for dividing the proceeds of the tax among the county and all eligible municipalities within the county, as set forth in Section 336.025(3)(a)1, Florida Statutes; and

WHEREAS, paragraph 4 of the Interlocal Agreement, as amended by the Addendum to the Interlocal Agreement, requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY and TOWN agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as amended by the Addendum thereto and the prior seventeenth amendment, is amended to read as follows:
2. Sixty-two and fifty hundredths percent (62.5%) of said Local Option Gas Tax proceeds shall be distributed to the COUNTY, and the remaining thirty-seven and fifty hundredths percent (37.5%) shall be divided among and distributed to the eligible municipalities within the COUNTY as follows:

Population of Individual Municipality x 37.5% =
Total Incorporated Area Population

<u>Recipients</u>	<u>FY 2002 Share of Proceeds</u>
Coconut Creek	1.081602%
Cooper City	0.693634%
Coral Springs	2.918359%
Dania Beach	0.498049%
Davie	1.879881%
Deerfield Beach	1.603386%
Fort Lauderdale	3.834168%
Hallandale Beach	0.851110%
Hillsboro Beach	0.053700%
Hollywood	3.459780%
Lauderdale-by-the-Sea	0.063631%
Lauderdale Lakes	0.787132%
Lauderhill	1.429648%
Lazy Lake	0.000943%
Lighthouse Point	0.267310%

Margate	1.338385%
Miramar	1.805872%
North Lauderdale	0.801010%
Oakland Park	0.768785%
Parkland	0.343478%
Pembroke Park	0.156384%
Pembroke Pines	3.411865%
Plantation	2.058981%
Pompano Beach	2.133412%
Sea Ranch Lakes	0.034559%
Southwest Ranches	0.176419%
Sunrise	2.129613%
Tamarac	1.380069%
Weston	1.223611%
Wilton Manors	0.315225%

Total Incorporated 37.500000%

2. The population figures set forth herein are based on the most current edition of Florida Estimates of Population, published by the Bureau of Economics and Business Research, Population Division, University of Florida. In accordance with the population figures, paragraph 3 of the Interlocal Agreement, as amended by the Addendum thereto and the prior sixteenth amendment, is amended to read as follows:

<u>Recipient</u>	<u>Population</u>
Coconut Creek	43,566
Cooper City	27,939
Coral Springs	117,549
Dania Beach	20,061
Davie	75,720
Deerfield Beach	64,583
Fort Lauderdale	154,437
Hallandale Beach	34,282
Hillsboro Beach	2,163
Hollywood	139,357
Lauderdale-by-the-Sea	2,563
Lauderdale Lakes	31,705
Lauderhill	57,585
Lazy Lake	38
Lighthouse Point	10,767
Margate	53,909

Miramar	72,739
North Lauderdale	32,264
Oakland Park	30,966
Parkland	13,835
Pembroke Park	6,299
Pembroke Pines	137,427
Plantation	82,934
Pompano Beach	85,932
Sea Ranch Lakes	1,392
Southwest Ranches	7,106
Sunrise	85,779
Tamarac	55,588
Weston	49,286
<u>Wilton Manors</u>	<u>12,697</u>
Total	1,510,468
Unincorporated Area	112,550
Total County	1,623,018

3. All provisions of the Interlocal Agreement and the Addendum thereto, as amended, not in conflict with this Seventeenth Amendment shall remain in full force and effect.
4. This Eighteenth Amendment shall become effective on the date last executed by the parties hereto provided that those eligible municipalities representing a majority of the incorporated area population have executed this Eighteenth Amendment prior to June 1, 2001.
5. This Eighteenth Amendment may be simultaneously executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.
6. In the event a portion of this Eighteenth Amendment is found by a court of competent jurisdiction to be invalid, the remaining portions shall continue to be effective.

[INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties have made and executed this Eighteenth Amendment to the Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chair or Vice Chair, authorized to execute same by Board action on the ____ day of _____, 20____, and TOWN, signing by and through its Mayor-Commissioner, duly authorized to execute same.

COUNTY

ATTEST:

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Broward County,
Florida

By _____
_____, Chair
____ day of _____, 20____.

Approved as to form by
Office of County Attorney
Broward County, Florida
EDWARD A. DION, County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By _____

Assistant County Attorney

EIGHTEENTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD
COUNTY AND TOWN OF DAVIE PROVIDING FOR DIVISION AND DISTRIBUTION OF
THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL
OPTION GAS TAX ORDINANCE

TOWN

WITNESSES:

TOWN OF DAVIE

By _____
Mayor-Commissioner

____ day of _____, 20____

ATTEST:

By _____
Town Clerk

Town Manager

____ day of _____, 20____

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____
Town Attorney

CSW:sl
4/18/01
2/20/01
gastx18.fm
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